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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,522	02/12/2004	Yohci Makuta	0505-1268P	4129

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EXAMINER

GEBREMICHAEL, BRUK A

ART UNIT	PAPER NUMBER
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3709

NOTIFICATION DATE	DELIVERY MODE
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06/20/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/776,522

Applicant(s)

MAKUTA, YOHEI

Examiner

Bruk A. Gebremichael

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/05/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 093005,060506.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Objections

Claim 15 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, 6, 9, 10, 12, 13, 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caprai 6,251,015 in view of Ritchie 4,637,605.

Caprai teaches the invention as claimed and as disclosed above; a cylindrical steering handle 56, a body for rotatably securing the steering handle (col.4, lines 63-67 & FIG 3), a brake lever 72 and a clutch lever 76 (see FIG 3), a steering angle sensor for detecting the turning of the steering stem 42 (col.4 lines 37-56 and FIG 5), a throttle grip 68 (see FIG 3 and claims 1-5 of Caprai), a control unit 14 with a box like structure having connection cables (see FIG 1 Label 14), an elevated table and a display (see FIG 1) .

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However, Caprai does not teach the following claimed limitation taught by Ritchie; a body comprising a pair of frames for rotatably securing the steering handle (FIG 1), a control unit 7 between a pair of frames, a circuit element 11 being disposed in the interior of the casing (see FIG 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Caprai's device in view of Ritchie to secure the casing of the control unit 7 between a pair of frames in order to attach the rotating member(s) of the control unit directly with the control cables of the handlebar as taught by Ritchie (col. 3, lines 8-15 and FIG 1 labels 3, 15 and 17). Similarly, providing flange portions on a unit in order to attach the unit to a supporting member was an obvious and known expedient at the time of the claimed invention.

Claims 2, 5, 7, 8, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caprai 6,251,015 in view of Ritchie 4,637,605 and further in view of Pittarelli 3,964,564.

Caprai in view of Ritchie teaches the invention as claimed and as disclosed above and in addition; a steering stem 42, a cylindrical steering handle 56 integrally held on the steering stem 42 through a holder 54, joint portions (see FIG 3) through which a clutch lever 76 and a brake lever 72 are held to the steering handle 56, a pair of hand grips 60.

However, Caprai in view of Ritchie does not teach the following claimed limitations as taught by Pittarelli; lever joint portions 141 through which at least one of a clutch lever 144 and a brake lever 142 are held on the steering handle 20.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Caprari in view of Ritchie and further in view of Pittarelli to construct the joint portions in a way that the operating levers will be swingable on the handlebar as taught by Pittarelli (see FIG 1 labels 141,142, 144 and col. 6, lines 53-55).

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bruk A. Gebremichael whose telephone number is (571)270-3079. The examiner can normally be reached on Monday to Friday (7:30AM-5:00PM) ALT. Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenburg can be reached on (571)272-4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



G.B.
05/29/07.



EHUD GARTENBERG
SUPERVISORY PATENT EXAMINER

5/29/07